

RILEY WARNOCK & JACOBSON, PLC

ATTORNEYS AT LAW

1906 WEST END AVENUE

NASHVILLE, TENNESSEE 37203

KATHARINE R. KLEIN

kklein@rwjplc.com

TELEPHONE: (615) 320-3700

TELECOPIER: (615) 320-3737

December 19, 2023

Via Email

Robert D. MacGill

Scott E. Murray

Patrick J. Sanders

robert.macgill@macgilllaw.com

scott.murray@macgilllaw.com

patrick.sanders@macgilllaw.com

Todd G. Cole

Andrew Goldstein

tcole@colelawgroup.com

agoldstein@colelawgroup.com

**Re: *Johnny M. Hunt v. Southern Baptist Convention et al.*,
U.S.D.C. No. 3:23-cv-0243 (M.D. Tenn.)**

Counsel:

We are in receipt of Rob's letter dated December 18, 2023, demanding that the depositions of Krista Tongring, Samantha Kilpatrick, Russell Holske, Anthony Collura, and Julie Myers Wood be set by agreement prior to December 22. Plaintiff's demand is contrary to the discussion had by counsel on Thursday, December 14, in which counsel discussed the possibility of making available for deposition two and possibly three of the Guidepost investigators in one location, despite the fact that these individuals have not been properly subpoenaed and do not all live and/or work in the same location. By changing the terms of the discussion on the eve of the subsequent meet and confer call, which counsel for Plaintiff insisted upon, it is clear that Plaintiff is not serious about engaging in legitimate discovery efforts; rather, Plaintiff seeks only to harass Guidepost and its high-level executives, notwithstanding the critical fact that Guidepost did not publish the allegedly libelous statements with which Plaintiff takes issue.

In light of the foregoing, Guidepost does not believe today's meet and confer, set for 11 am central will be productive, and it is canceling the call. Notwithstanding the cancelation of today's call, Guidepost is prepared to waive service of the required subpoenas and make available Ms. Tongring, Ms. Kilpatrick and Mr. Holske for deposition in Washington, D.C., at dates and

December 19, 2023

Page 2

times convenient to all parties. Guidepost will not make available Mr. Collura or Ms. Myers Wood for deposition unless there is an objective, legitimate factual basis to do so following the depositions of the three investigators. We would remind you that Rob approved of this approach during our call last week, himself suggesting that the parties could reserve the right to hold a meet and confer on the subject of relevance after the depositions of Ms. Kilpatrick, Mr. Holske, and Ms. Tongring. Further, Guidepost will not agree that Plaintiff should be entitled to take more than the allotted 10 depositions mandated by the Federal Rules.

Very truly yours,

/s Katharine R. Klein

Katharine R. Klein

cc: All counsel of record